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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Fourth periodic report submitted by Andorra under article 18 of the Convention, due in 2017*

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Contents

	Page
Responses to the observations and recommendations of the Committee on the Elimination of Discrimination against Women	3
Parliament	3
Visibility of the Convention, the Optional Protocol and the Committee's general recommendations	4
Non-governmental organizations	5
Legal status of the Convention and legal complaint mechanisms	8
National machinery for the advancement of women	9
Temporary special measures	10
Stereotypes	11
Violence against women	13
Trafficking and exploitation of prostitution	16
Participation in political and public life	18
Education	20
Employment	22
Health	25
Migrant women	28
Economic empowerment, social and economic benefits	29
Equality in marriage and family relations	29
Beijing Declaration and Platform for Action	30
Dissemination and implementation	30
Ratification of other treaties	31
Follow-up to the concluding observations	32
Reporting process	32

Responses to the observations and recommendations of the Committee on the Elimination of Discrimination against Women

Parliament

1. **While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the obligations of the State party under the Convention, the Committee stresses that the Convention is binding on all branches of the Government and invites the State party to encourage its parliament, in line with its procedures and where appropriate, to take the necessary steps with regard to the implementation of the present concluding observations between now and the next reporting period under the Convention (see CEDAW/C/AND/CO/2-3, para. 8).**

2. Pursuant to article 3.4 of the Constitution, the Convention is directly applicable law. Any person may use the Convention as a basis for arguments before the civil administration or the courts of law to ensure that their rights are respected.

3. The various departments and agencies were informed of the Committee's concluding observations so that they could consider how best to implement them.

4. Beginning in 2013, the Consell General (Andorran parliament) held a series of meetings on gender, with the participation of all parliamentary groups, to analyse the situation of women in Andorra and develop proposals that could serve as examples for addressing any inequalities that might exist.

5. The Plan of Action for Gender-sensitive Parliaments adopted by the 127th Assembly of the Inter-Parliamentary Union in Québec on 26 October 2012 was examined at those meetings. As a result of the conclusions drawn from the meetings, on 15 January 2015 the Consell General agreed to:

- Prepare a white paper on equality,[1] with the support of the Government and the cooperation of the Institute of Andorran Studies
- Implement the following recommendations set out in the Plan of Action:

Measures to promote equality within the Consell General

- Maintain equal representation in relevant positions to be filled within the Consell General, as far as the electoral results and the list of eligible candidates allow
- Ensure, where possible, that both women and men are represented as chairs of legislative committees and members of international delegations
- Revise the Rules of Procedure of the Consell General to make it possible to balance parliamentary activities with the need for maternity, paternity or sick leave

Measures by the Consell General to promote equality in its legislative initiatives and other parliamentary work

- Establish indicators to enhance the capacity for gender-responsive evaluation of parliamentary legislative initiatives
- Ensure that the Statistics Plan includes gender indicators

[1] For more information on the white paper on equality, see para. 59 of the common core document.

- Undertake a legislative reform of the Civil Service Act and the Labour Relations Code Act to facilitate greater participation of women in political life
- Ensure that the legislative committee responsible for gender issues is able to inform the plenary of its work and recommendations on a regular basis

Measures by the Consell General to promote equality in activities and services open to the public

- Create a dedicated gender-issues section at the library of the Consell General.
- Include a set of actions related to gender issues in the budget of the Consell General.
- Plan a regular cycle of conferences and activities to raise awareness of gender issues.

6. Efforts have been made to implement the various actions set out above over the course of the current legislative term, as described in more detail in the common core document.

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

7. **The Committee calls upon the State party to widely disseminate the Convention and the Optional Protocol thereto and ensure that the Convention, the Optional Protocol and the Committee's general recommendations, in addition to the views adopted on individual communications, are made an integral part of the professional training for judges, prosecutors, lawyers and the police. It also recommends that the State party raise awareness among women about their rights under the Convention and about the communications and inquiry procedures provided by the Optional Protocol (see CEDAW/C/AND/CO/2-3, para. 10).**

8. In recent years, various professionals have received continuous and specialized training on gender issues.

9. In the area of administration of justice, the High Council of Justice coordinates the various training sessions for judges, magistrates, prosecutors, court clerks and all other staff of the different judicial offices.

10. The following internal training courses have been delivered in Andorra:

- Gender-based violence and new technologies: methods for using social media in criminal investigations
- Violence against minors (Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)); offences related to human trafficking
- Opportunities for further training offered in collaboration with the French École nationale de la magistrature and the General Council of the Judiciary of Spain
- Human trafficking (2015)
- Violence in the context of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)
- International family law, European Community regulations on family matters
- Children at risk
- Human trafficking

11. The Bar Association of Andorra also offers continuous training for lawyers. In 2013, training on gender-based violence was delivered. Gender issues have also been addressed in a cross-cutting matter through training on juvenile justice and continuous training for duty counsel and court-appointed lawyers. Plans for 2018 include coverage of issues concerning the Convention in a cross-cutting manner as part of the training on family law and parental authority in juvenile cases.

12. Furthermore, specialized training for lawyers is a legal obligation (art. 11). In order to ensure that victims are advised by professionals who have been specially trained in this area, the Equality Policies Unit intends to agree on a training plan with the Bar Association of Andorra to ensure that victims of gender-based and domestic violence receive appropriate legal assistance.

13. It is not only lawyers who have been given training. Members of the national police force have received the following training on topics related to women, violence against women, and discrimination against women and human rights:

- 2015: 1 person was trained on involving men in violence prevention (eight hours).
- 2016: 54 persons attended a conference on offences of incitement to violence and discrimination (four hours).
- 2016: 21 persons were trained on the domestic violence protocol (one hour).
- 2017: 24 persons attended a workshop on gender-based and domestic violence (eight hours).

14. To promote awareness of the Convention, Andorra has published the text, translated into Catalan, the official language of the State, in the Official Gazette of the Principality of Andorra and on the website of the Ministry of Social Affairs, Justice and the Interior:

- https://www.bopa.ad/bopa/009010/Documents/2C46.pdf
- https://www.aferssocials.ad/igualtat
- https://www.aferssocials.ad/campanya-igualtat

Non-governmental organizations

15. **The Committee urges the State party to strengthen collaboration with women's associations and support their initiatives towards the implementation of the Convention. It also calls upon the State party to involve civil society, in particular women's organizations, in the preparation of its next periodic report and to promote their engagement with the Committee (see CEDAW/C/AND/CO/2-3, para. 12).**

16. The Equality Policies Unit maintains a constant dialogue with the country's main women's associations: the Women's Association of Andorra and Stop Violències.

17. In accordance with Act No. 6/2014 of 24 April 2014 on health and social services, the Government of Andorra approved a budget item for awarding grants to national civic entities that implement social activities or programmes. The Women's Association of Andorra and Stop Violències both submitted project proposals that were examined in accordance with the principles of transparency and objectivity. The Women's Association of Andorra was awarded EUR 15,000 to develop the Women's Information Point, and Stop Violències was awarded EUR 7,500 to develop a recovery programme involving canine therapy for victims of gender-based violence

(Government of Andorra Decision of 14 December 2016, published in Official Gazette of the Principality of Andorra No. 77, of 22 December 2016).

18. The Equality Policies Unit collaborates in the implementation of projects of associations, in accordance with the Government's social policy. To that end, it has agreed to the signature of a protocol for action on referral and collaboration in awareness-raising projects.

19. It should also be noted that this report was sent to the two associations so that they could make any contribution they deemed appropriate. Unfortunately, neither of them submitted any comments.

20. With regard to cooperation with non-governmental organizations (NGOs) for international development cooperation programmes, the common core document describes, in paragraphs 95 to 101, the overall functioning of the international development cooperation policy of the Andorran Ministry of Foreign Affairs.

21. As indicated in the common core document, one of the three strategic priorities of development cooperation is the protection of vulnerable groups, primarily children, women and persons with disabilities. It is also important to highlight that particular importance is attached to the gender perspective during the evaluation phase of projects presented to the Ministry of Foreign Affairs for a possible subsidy. Specifically, an additional point is given to the project's overall score if it includes a gender perspective that favours women or girls.

22. The voluntary contributions of the Ministry of Foreign Affairs to funds and programmes of international organizations, and the subsidies given to NGO projects and programmes with women and girls as the main beneficiaries, are set out below.

Programmes of international organizations	Council of Europe	Promotion of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence	2013	€10,000.00
Programmes of international organizations	United Nations	United Nations Development Fund for Women	2013	€40,000.00
Programmes of international organizations	Organization for Security and Cooperation in Europe	Training for women entrepreneurs in Armenia	2013	€5,300.00
Programmes of international organizations	Council of Europe	Parliamentary dimension of the campaign for the promotion of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence VC/2698	2014	€2,500.00
Programmes of international organizations	Council of Europe	Promotion of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence VC/2656	2014	€7,500.00

Programmes of international organizations	United Nations	United Nations Development Fund for Women	2014	€40,000.00
Programmes of international organizations	Organization for Security and Cooperation in Europe	Mission of the Organization for Security and Cooperation in Europe to Tajikistan to support and strengthen resource centres for women	2014	€7,500.00
Programmes of international organizations	Council of Europe	Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence	2015	€10,000.00
Programmes of international organizations	United Nations	United Nations Development Fund for Women	2015	€40,000.00
Programmes of international organizations	Organization for Security and Cooperation in Europe	Economic and environmental dimension: Mission of the Organization for Security and Cooperation in Europe to Tajikistan to support and strengthen resource centres for women	2015	€10,000.00
Programmes of international organizations	Council of Europe	For three years: 2016, 2017 and 2018 —Violence against women	2016–2018	€7,500.00 x 3
Programmes of international organizations	Council of Europe	Violence against women	2016	€2,500.00
Programmes of international organizations	United Nations	United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) — United Nations Development Fund for Women	2016	€40,000.00
Programmes of international organizations	Organization for Security and Cooperation in Europe	Mission of the Organization for Security and Cooperation in Europe to Tajikistan to support and strengthen resource centres for women	2016	€10,000.00
Subsidies	Fundación IBO	Fundación IBO: Protecting women's rights in the Ibo district through actions to strengthen health services and empowerment processes in Mozambique	2016	€39,780.00

Subsidies	Mans Unides	Mans Unides: Socioeconomic integration of young women from rural communities in Honduras	2016	€40,000.00
Subsidies	Mans Unides	Mans Unides — two coffee dryers in Peru	2016	€7,500.00
Programmes of international organizations	International Criminal Court	International Criminal Court Trust Fund for Victims — for activities related to gender mainstreaming	2017	€10,000.00
Programmes of international organizations	United Nations	UN-Women — United Nations Development Fund for Women	2017	€40,000.00
Programmes of international organizations	Organization for Security and Cooperation in Europe	Mission of the Organization for Security and Cooperation in Europe to Tajikistan to support and strengthen resource centres for women	2017	€10,000.00
Programmes of international organizations	Organization for Security and Cooperation in Europe	Support of the Organization for Security and Cooperation in Europe for the implementation in the OSCE region of Security Council resolution 1325 (2000) on women, peace and security	2017	€5,000.00
Programmes of international organizations	International Organization of la Francophonie	Programme for promoting entrepreneurship among women and youth	2017	€20,000.00
Subsidies	Fundación IBO	Comprehensive prevention, care and advocacy efforts for mothers who have been victims of forced and/or early marriage in the Ibo district, Cabo Delgado (Mozambique)	2017	€39,670.00

Legal status of the Convention and legal complaint mechanisms

23. **The Committee recommends that the State party adopt a comprehensive gender-equality and anti-discrimination law in line with the provisions of the Convention. It recommends that the State party ensure that women have effective access to legal remedies to complain about discrimination and other violations of their rights, including by providing free legal aid for women without sufficient means and strengthening the mandate of the Ombudsperson to receive and consider complaints relating to discrimination against women. It also recommends that studies be conducted with a view to explaining the limited access to justice by women (see CEDAW/C/AND/CO/2-3, para. 14).**

24. As indicated in the common core document, one of the conclusions of the white paper on equality[2] is the adoption of an Act on equality and non-discrimination. Preparatory meetings with the working group have already been held to focus on the content and scope of the Act, and drafting has begun. The Government plans to submit the draft Act for parliamentary consideration before the end of 2018.

25. Free legal aid is governed by Decree No. 12 of July 2017, which regulates the right to a defence and to legal counsel. All women who lack financial resources have access to legal counsel, as long as such assistance is mandatory.

26. In cases where discrimination may amount to gender-based violence, women are guaranteed legal assistance to appear as a party in criminal proceedings.

27. Women who are victims of economic violence will not need to prove economic hardship to enter into litigation.

28. As previously stated, the new Act of 23 November, amending the Act on the creation and operation of the Raonador del Ciutadà (Office of the Ombudsman) of 4 June 1998, which entered into force on 24 November 2017 and provides for the receipt of complaints in cases of possible discrimination in both the public and the private spheres, among other measures.

National machinery for the advancement of women

29. **In line with its general recommendation No. 6 on effective national machinery and publicity, the Committee recommends that the State party provide its central and local institutions and bodies, such as the Ministry of Health and Welfare, the Health and Welfare Assessment Council and parish councils, with adequate human, technical and budgetary resources with a view to achieving gender equality (see CEDAW/C/AND/CO/2-3, para. 16 (a)).**

30. Pursuant to a decree of 23 September 2015, the Ministry of Health and Social Welfare is currently being restructured; as a result, an Equality Policies Unit has been established, incorporating the former Women's Comprehensive Care Team.

31. In 2016 the Equality Policies Unit began to extend its operations beyond direct intervention with victims of gender-based violence or actions to prevent violence.

32. In this regard, the preparation of the white paper on equality has offered a detailed analysis of the situation of gender equality in Andorra that will be useful for the adoption of policies required to implement the conclusions reached.

33. To that end, the Equality Policies Unit was strengthened in the last quarter of 2017, with the recruitment of two new professionals: a social care expert and a psychologist. These professionals will work in various of the unit's programmes in a cross-cutting way and will develop the care programme for the promotion of non-violent relationships.

34. As previously stated, in cooperation with the Department of Employment and Labour, the Equality Policies Unit has created the "Olympe de Gouges" award to promote gender equality in the workplace. In this context, three companies have come forward and have performed a diagnosis and evaluation of the various aspects of gender equality in business. They will then approve the measures that they consider useful to counter possible inequality or even discrimination in companies. On 8 March 2018, a ceremony was held to present the award.

[2] For more information on the white paper on equality, see para. 57 of the common core document.

35. **Consider adopting a national action plan on gender equality with time-bound targets that covers all areas of the Convention (see CEDAW/C/AND/CO/2-3, para. 16 (b)).**

36. The need to approve an equality strategy is expressly included in the conclusions highlighted in the white paper on equality. In that sense, when the equality strategy is drawn up, the recommendations and comments of the Committee regarding the rights recognized under the Convention will be taken into consideration.

37. **Proceed with the assessment of the implementation of the National Plan of Action for Equality, in cooperation with civil society, in particular women's organizations, and widely disseminate and include in its next periodic report information on the outcome of the assessment (see CEDAW/C/AND/CO/2-3, para. 16 (c)).**

38. The white paper on equality, drawn up under the auspices of the Consell General, has established a new path forward in the development of future gender equality policies. However, its creation does not represent a rupture with the work done to date by the National Commission on Equality given that the conclusions reached by that body were evaluated by representatives from civil society through the Interdisciplinary Working Group and included in the white paper.

Temporary special measures

39. **The Committee calls upon the State party to familiarize all relevant officials with the concept of temporary special measures, taking into account the fact that such measures are appropriate means for accelerating the achievement of de facto gender equality. It encourages the State party to adopt temporary special measures in accordance with article 4 (1) of the Convention, as interpreted in the Committee's general recommendation No. 25, in all areas of the Convention in which women are underrepresented or disadvantaged. To that end, it recommends that the State party allocate resources, where needed, to accelerate the advancement of women (see CEDAW/C/AND/CO/2-3, para. 18 (a)).**

40. The commitment of the Government of Andorra to gender equality may be seen in the creation of a specific unit, whose main functions include combating inequality and discrimination.

41. Although this unit will be enhanced by the future Act on equality and non-discrimination, it currently has an independent budget to implement the various programmes assigned to it, as well as awareness-raising and prevention actions deemed necessary. For 2018, its budget is €73,171.17.

42. As has been stated, the Equality Policies Unit has been reinforced by two new professionals (a social care expert and a psychologist) who will be able to implement the care programme for the promotion of non-violent relationships and family meeting points.

43. **Include comprehensive information on the use and impact of temporary special measures in relation to various provisions of the Convention in its next periodic report (see CEDAW/C/AND/CO/2-3, para. 18 (b)).**

44. One of the issues that has been emphasized in the preparation of the white paper on equality, through the participation of social partners, has been the need for social clauses to facilitate real equality between men and women.

45. The adoption of these social clauses requires legal coverage for them to be developed in a cross-cutting manner. The future Act on equality and non-discrimination will address this issue.

46. Nevertheless, and without prejudice to the foregoing, one of the benefits for businesses awarded the "Olympe de Gouges" is that receipt of the award is taken into consideration in the process of bidding for public contracts, in accordance with the relevant clauses of the general conditions.

Stereotypes

47. **The Committee urges the State party to adopt a comprehensive policy with proactive and sustained measures, targeted at women and men, girls and boys, to eliminate traditional stereotypes and patriarchal attitudes about the roles and responsibilities of women and men in the family and in society, and involve the education system, civil society, the church and the media, in particular using Internet tools, in the preparation and implementation of such policy (see CEDAW/C/AND/CO/2-3, para. 20 (a)).**

48. Public action to address this problem is being implemented through different departments working in a coordinated manner against inequality caused by traditional gender-specific stereotypes.

49. The Strategic Plan for the Renewal and Improvement of the Education System of Andorra first saw the light in the 2010/11 academic year to give a new pedagogical approach to the Andorran educational system. It assigns an important role to the development of competences and the ability to act effectively in real diverse and complex scenarios by making use of acquired knowledge, skills and experience, which transforms previously regulated processes of teaching, learning and assessment. This educational renewal was implemented in the 2012/13 school year and takes the form of the development of specific and cross-cutting skills to allow students, as participants responsible for their own learning, to take action in different areas of life: personal, interpersonal, social and professional. The Strategic Plan for the Renewal and Improvement of the Education System of Andorra has been implemented progressively throughout compulsory basic education since the 2013/14 school year. In the 2017/18 school year, implementation began at the baccalaureate level, along with the design of the model for professional training.

50. This plan facilitates work against traditional gender stereotypes and patriarchal attitudes in a cross-cutting way and through a range of projects in various areas of knowledge.

51. Aside from this cross-cutting work, it was decided that different workshops should be held in primary and secondary education:

	Title	*Competence situation*
Primary education	Gender stereotypes	The Ministry of Health and Welfare proposes an initiative to raise awareness in Andorran society of the importance of equal treatment. The initiative involves organizing an exhibition in each parish of posters with the theme: "Imagine: A non-discriminatory advertisement."
	Students in schools. So different, so equal.	The teacher talks to students starting a new school year. They have to coexist in the best way possible to ensure that the year is as successful as possible for all. However, the teacher asks whether, despite the differences between them, they know how to get along, if they know what is needed to ensure a good atmosphere in the classroom and positive coexistence.

	Title	*Competence situation*
	Do we Andorrans have prejudices and stereotypes?	The teacher says that the school's coexistence committee is asking for posters (with slogans) to raise awareness of inequalities and social problems. These slogans must provide critical solutions and reject stereotypes. The slogans can be posted on the class and/or school blog.
Secondary education	The challenge of multicultural coexistence.	An analysis is made of problems of coexistence among people of different cultures and of whether it is necessary to have a campaign to raise awareness of the richness of multicultural societies to prevent future conflicts.
	Cultural diversity and positive coexistence.	To mark International Multiculturalism Day, the school tasks students with a campaign to raise awareness of the relationship between different cultural identities using virtual posters.
	Why do we live in a world with so many inequalities?	We live in a world where we believe that globalization has made our world uniform, but in fact this global process has created many inequalities across the globe. Many people are trying to highlight these inequalities and combat them. In different countries, social, political and economic movements are emerging that denounce, help against, protest or combat such inequalities. However, how can we address injustices and inequalities? Is it true that united we are stronger and that we can make a difference?

52. The programme of secondary education cross-cutting competences includes a module on competences linked to the establishment of positive and cooperative relations and full participation in the social life of the community.

53. For its part, the Equality Policies Unit of the Ministry of Social Affairs, Justice and the Interior, through the Gender-Based Violence Victims Support Service, provides a specific workshop on the prevention of gender-based violence in the three education systems (Andorran, French and Spanish), with special attention paid to the social construction of gender and to stereotypes arising from this construction and how they perpetuate social inequality between men and women. In addition, the myths of romantic love are explored with the aim of identifying the causes of abusive partner relationships.

54. At the second meeting of the National Commission for the Prevention of Gender-Based and Domestic Violence (held in October 2016), it was agreed that this workshop would be held for students who were one year younger, because the need to work on these aspects at an earlier age had become apparent.

55. During the 2016/17 school year, the workshop has been given in the three education systems in the country (Andorran, Spanish and French), in nine schools and in the Community Rehabilitation Service for Adolescents of the Mental Health Centre. Thirty-one classes were taught, attended by a total of 670 students.

56. **To establish a mechanism to monitor and assess the implementation of public and media campaigns to overcome gender stereotypes, including through**

Internet-based surveys, discussion forums and consultation processes (see CEDAW/C/AND/CO/2-3, para. 20 (b)).

57. Although it is true that there is no general regulation of advertising in Andorra, Act 1/2015 on the eradication of gender-based violence and domestic violence does establish a series of minimum standards in relation to the presentation of information: the elimination of any kind of discrimination in contents and programming, as well as adequate treatment of victims of domestic and gender-based violence.

58. Among the activities planned for the year 2018, the Equality Policies Unit intends to reach an agreement with the main media in the country on such issues in order to end the gender stereotypes that perpetuate inequalities between men and women and to comply with Act 1/2015 regarding the treatment of victims of gender-based violence and domestic violence in media news reports. This agreement will provide for specific training for professionals for them to learn in greater depth about the phenomenon of gender-based violence and how it is different from domestic violence and the different causes and to explore various misconceptions and false beliefs relating to this phenomenon in order to prevent secondary victimization.

59. Similarly, in 2018, the Equality Policies Unit will promote the following measures to ensure monitoring of media content and public campaigns:

- Creation of a self-regulatory body, composed of members of the different media in the country, to be supported by the Equality Policies Unit, in order to establish criteria and good practices regarding the transmission of information free of gender stereotypes;
- Request for a preliminary statutory and binding report by the Equality Policies Unit on the projects and public campaigns carried out by the various ministries to avoid the perpetuation of gender inequalities.

Violence against women

60. **The Committee urges the State party to ensure the adoption of a comprehensive law addressing all forms of violence against women, establishing measures to prevent and combat them (see CEDAW/C/AND/CO/2-3, para. 22 (a)).**

61. On 15 January 2015, the Consell General unanimously adopted Act 1/2015 on the eradication of gender-based violence and domestic violence, with the aim of taking comprehensive action to prevent and combat such violence.

62. The guiding principles underlying the Act are prevention as a fundamental and crosscutting approach, comprehensive intervention, gender mainstreaming and civic participation.

63. In line with the Istanbul Convention, the Act deals with gender-based violence in the broad sense and not only with violence in partner relationships.

64. The Criminal Code lists conduct constituting gender-based violence and mentioned in that Convention: domestic abuse (article 114), female genital mutilation (article 116.2), forced marriage (article 171 bis), sexual violence, sexual abuse and stalking (articles 144 ff.), prostitution and procuring (articles 150 ff.), pornography and sexually provocative conduct (articles 155 ff.).[3]

65. The Act focuses on prevention and provides guidance on various issues: (education (article 6), social and health matters (article 7), work (article 8), advertising and the media (article 9), and public authorities (article 10).

[3] See translation of some articles of the Criminal Code annexed.

66. The men and women who intervene in cases of gender-based and domestic violence are also trained to provide guidance on how to deal with the victims of violence. This serves a precautionary purpose, enabling them to distinguish between what may appear to be an argument between equals and a situation of gender-based violence.

67. **To amend the Criminal Code to criminalize all forms of violence against women, including sexual violence and stalking, and establish measures to provide victims with redress (see CEDAW/C/AND/CO/2-3, para. 22 (b)).**

68. As stated, our Criminal Code criminalizes violence against women in its various forms, including sexual violence and stalking.

69. In its article 23 concerning legal protection, Act 1/2015 on the eradication of gender-based violence and domestic violence states that any persons who consider themselves to be the victims of such violence may institute criminal proceedings, as they deem necessary, and may bring a case before a civil jurisdiction in order to obtain legal protection and to end the violation of their rights resulting from a situation of gender-based or domestic violence, to obtain appropriate action to end the violation and prevent subsequent violations, and to obtain redress or financial compensation for all the damage caused, including moral and financial damage. Such action follows the procedure established by the civil procedural rules in force.

70. **To strengthen its efforts to prevent violence against women, including by conducting awareness-raising and education campaigns to inform women and girls about their right to be free from violence and about available support and legal remedies for victims (see CEDAW/C/AND/CO/2-3, para. 22 (c)).**

71. The Gender-based Violence Victims Support Service holds training workshops at educational centres for adolescents from 14 to 16 years of age to prevent abusive behaviours, familiarize them with gender stereotypes, prevent abusive behaviours in partner relationships, and stimulate reflection on the factors that influence gender-based violence, types of abuse, indicators, the cycle of gender-based violence, the right to live free of violence and the legal support and resources available to victims.

72. During the school year 2016/17, the gender violence protection workshop was held in the three education systems, at a total of nine educational centres and in the Community Rehabilitation Service for Adolescents, which is part of the Andorran Health Care Service. A total of 31 classes were attended by 670 male and female students.

73. In the school year 2017/18, arrangements have been made to expand these workshops and also to train teachers, so that they can act as agents for change within the centres' curriculum project in a crosscutting effort, from the beginning of schooling until the completion of mandatory education. The idea is to ensure that all those involved in the education of young people are on the same page regarding gender equality and prevention of violence.

74. As regards awareness-raising and outreach, since 2008 campaigns, events and lectures have been scheduled for the entire population on the occasion of commemorative days such as 25 November and 8 March. At these events, reference is made to the right to live free of violence, information is provided about the assistance and legal resources available and about the existence of the Gender-based Violence Victims Support Service and information leaflets are distributed.

75. On 25 November 2017, the Equality Policies Unit organized a publicity campaign with the MoraBanc Andorra basketball team. The slogan was "We are fighting violence against women. Are you with us?".

76. The campaign illustrates the support of Andorra for the United Nations "HeForShe" project, which urges men to step up and openly combat violence against women. In addition, involvement of the basketball team makes it possible to reach particularly vulnerable groups such as adolescents, by creating new male role models.

77. During the 2017/18 season, MoraBanc Andorra, which was participating in the EuroCup European league, presented the Andorran campaign to stop violence against women, as a corporate social responsibility project, in the context of the One Team programme. In this connection, at half-time during the match between MoraBanc Andorra and Fiat Torino, Nil Peña and Mara Sobany (two junior players under 18 years of age) read out a manifesto condemning violence against women.

78. Such manifestos proclaim the right of women to live in freedom and without violence, and invite men to rethink their role in society and their relationship with women.

79. **To provide adequate assistance to women victims of violence, including migrant women, and ensure that victims have access to legal remedies, such as restraining orders, and to shelters and medical and psychosocial support, in cooperation with non-governmental organizations (see CEDAW/C/AND/CO/2-3, para. 22 (d)).**

80. Any migrant woman resident in Andorra who has suffered gender-based violence receives care from the Gender-based Violence Victims Support Service (if she is a victim of domestic violence, she receives care from the Domestic and Family Violence Victims Support Service) and has access to all the services and resources offered by the Service, which include comprehensive care (social, psychological and legal), as well as shelter and medical care, if needed.

81. In addition, they are told about the procedure for requesting free legal assistance through the legal aid lawyer of the Andorran Bar Association.

82. Non-resident migrant women are also helped by the Gender-based Violence Victims Support Service and have access to shelters and medical care. They are also offered legal advice about immigration formalities and all legal actions envisaged in the laws for obtaining suitable protection, as victims of gender-based violence. As regards financial aid, they have access to emergency assistance to meet basic personal needs.

83. In the period from 2013 to 2017, assistance was provided in 578 cases of gender-based and domestic violence. In the few cases (nine) involving women who were not legal residents of Andorra, social, legal and psychological assistance was provided, with access to financial aid in the form of emergency assistance to meet basic needs. Thus the Andorran Gender-based Violence Victims Support Service (formerly the Team for Comprehensive Care of Women) assisted all the non-resident women who were referred by other services or who contacted the Service on their own initiative.

84. **To provide public funding to non-governmental organizations that operate shelters (see CEDAW/C/AND/CO/2-3, para. 22 (e)).**

85. At present, funds for accommodation or shelters are managed directly by the Government. The Gender-based Violence Victims Support Service has three floors available to it, each of which can accommodate two families.

86. Non-governmental associations or organizations may use the subsidy programme to implement projects and programmes that they consider to be of interest. However, the Andorran associations representing women's interests have not proposed any projects for private management of shelters for victims of gender-based violence.

87. **To provide training to the police on gender-sensitive methods for investigating cases of violence against women and for providing age-appropriate advice to victims, taking into consideration their socioeconomic situation (see CEDAW/C/AND/CO/2-3, para. 22 (f)).**

88. Article 11 of Act 1/2015 of 15 January 2015 on the eradication of gender-based violence and domestic violence provides for ongoing training of staff involved in measures for detection of, intervention in and prevention of gender-based and domestic violence. There are two types of training: basic training for staff who intervene indirectly in cases of gender-based and domestic violence and advanced training for staff who intervene directly in such cases.

89. In this connection, there are two levels of basic training for the police. The first level deals with concepts, definitions, legal parameters, rights of victims, types of abuse, indicators, treatment of the victim, how to interact with victims, identification and referral to the Gender-based Violence Victims Support Service. The second level is for all members of the police who have completed the first level and will consist of more in-depth training specific to police activities.

90. It should be mentioned that Collaboration Guidelines are currently being prepared that will include the definitions in Act 1/2015 on the eradication of gender-based violence and domestic violence and in the Istanbul Convention. These Guidelines consist of a document drafted by the National Commission for the Prevention of Gender-based and Domestic Violence, which regulates the activities of the government ministries and departments involved in prevention of, intervention in and prosecution of such violence.

91. The Guidelines include action protocols for each department involved, specifying how to avoid duplication of resources and services and outlining collaboration arrangements so that the victims of gender-based or domestic violence can benefit from responder networking and from coordinated and comprehensive action by the ministries and the staff involved.

92. The police training programme will continue in 2018. At the time when this report was prepared, training was scheduled for 5 and 7 February for a total of 30 police officers. The training lasts eight hours.

93. **To accelerate the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (see CEDAW/C/AND/CO/2-3, para. 22 (g)).**

94. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which entered into force on 1 August 2014, was ratified by Andorra on 23 January 2014.

Trafficking and exploitation of prostitution

95. **The Committee calls upon the State party to undertake investigations into possible cases of trafficking in women and girls and provide, in its next periodic report, comprehensive information on the extent of trafficking in the State party (see CEDAW/C/AND/CO/2-3, para. 24 (a)).**

96. Currently, no cases of trafficking in women and girls or of persons in general have been observed in the Principality of Andorra. It should be recalled that Andorra enjoys a favourable and isolated geographic location between France and Spain. As a political territory, Andorra is not part of the Schengen area and therefore maintains control of its only two borders.

97. Furthermore, it has no airport, railway station nor, of course, port. These characteristics, combined with the country's geographical size (468 square

kilometres) and population under 80,000, where prostitution is completely banned, probably makes Andorra unattractive for the establishment of human trafficking.

98. It should also be added that the controls by the authorities are relatively easy and rapid to implement, nor is it easy to conceal illegal practices for prolonged periods. However, as a transit country and taking into account the significant flow of automobile traffic, the authorities are aware and vigilant with regard to the information that neighbouring country authorities may provide on the development of new forms of organized crime, including those affecting human trafficking operations.

99. **To adopt a national action plan against trafficking in human beings, in particular women and girls, including strategies for the prevention of trafficking and forced prostitution, measures aimed at identifying victims of trafficking and mechanisms to protect them and provide them with adequate support and redress (see CEDAW/C/AND/CO/2-3, para. 24 (b)).**

100. The Consell General adopted Act No. 9/1017 of 25 May on measures to combat human trafficking and protection for victims.[4]

101. The Act is based on the general principle that the Government must take all necessary measures for prevention and for identification of the victims of human trafficking, in accordance with the Council of Europe Convention on combating trafficking and further pursue implementation of the commitments made with the entry into force of the Council of Europe Convention on Actions to Combat Trafficking in Human Beings adopted in Warsaw in 2005.

102. The Act has two objectives: first, prevention and identification of the victims of human trafficking in order to avoid to the extent possible and end this form of modern slavery, and next, to protect the victims once they have been identified.

103. An amendment to the Qualified Act on Immigration was introduced specifically to establish a reflection and recovery period for victims, so that they can recover and decide whether to cooperate with the authorities in the investigation of the offence concerned. Consequently, during this period, the victims cannot be subject to any administrative measure by the police and, later, in certain circumstances, they may obtain a renewable immigrant residence and work permit.

104. Various monetary benefits have been established for victims of the crime of human trafficking and their minor children, when applicable. They include maintaining coverage for basic needs, government health care for 100 per cent of medical costs and hospitalization, access to the scholarship system and payment of the costs of return to the country of origin or travel to another country as requested by the victim being offered security and support.

105. The Social Security Act has also been amended, to ensure that victims of human trafficking and their minor children are entitled to reimbursement of 100 per cent of medical fees, as well as to include these victims within special regimes of social security, specifically those regulating the obligations of membership and contribution.

106. In addition, Act No. 6/2014 of 24 April on health and social services has been amended, with the aim of providing persons who have been granted a reflection and recovery period a number of benefits and support for their physical, psychological and social recovery. The support includes assistance to return to the country of origin or another country that provides security and support, provided that the person concerned so requests. These grants are considered a guaranteed benefit in all cases.

[4] https://www.bopa.ad/bopa/029039/Documents/CGL20170608 https://www.bopa._16_28_18.pdf (version in Catalan).

107. Finally, there are plans to adopt a protocol for early identification of victims of trafficking in human beings within one year after the entry into force of the Act.

108. **To conduct awareness-raising campaigns about the criminal nature and risks of trafficking and forced prostitution of women and girls (see CEDAW/C/AND/CO/2-3, para. 24 (c)).**

109. Independent of the different types of training for professionals directly involved in the investigation of such acts (police, prosecution and courts), beginning in 2018 the Equality Policies Unit, among its prevention and awareness-raising activities, will conduct specific activities to educate the people, especially women and girls, on the various risks of human trafficking and their close link to sexual and/or employment exploitation as well as the criminalization of these acts.

110. In this regard, concrete actions on the International Days of 30 July and 23 September will be included.

111. **To amend the Criminal Code with a view to specifically criminalizing trafficking in human beings, in particular women and girls, and forced prostitution (see CEDAW/C/AND/CO/2-3, para. 24 (d)).**

112. The Consell General, through Act No. 40/2014, amending Act No. 9/2005 approving the Criminal Code, introduced the necessary reforms and the creation of new criminal offences in our legal system to accommodate the provisions of the Istanbul Convention.

113. The following acts were criminalized: traffic in human organs, tissue, cells or gametes (art. 121), trafficking of human beings for the purpose of slavery or servitude (art. 134 bis), promotion of prostitution (art. 151), procurement (art. 152) and trafficking of human beings for purposes of sexual exploitation (art. 157 bis). See the annex for translations of these articles.

114. **To strengthen bilateral and regional cooperation mechanisms in order to prevent trafficking in women and girls, protect victims and prosecute traffickers, within the framework of existing regional treaties (see CEDAW/C/AND/CO/2-3, para. 24 (e)).**

115. Andorra ratified the Council of Europe Convention on Action against Trafficking in Human Beings on 23 March 2011 and it entered into force on 11 July 2011.

116. Since that time, Andorra has undergone an evaluation by GRETA (Group of Experts on Action against Trafficking in Human Beings) and has issued its first report on 18 September 2014 and its responses to the comments made by the Committee on 5 December 2016.

117. On 25 October 2017, Andorra issued its second report on the implementation of the Convention.

Participation in political and public life

118. **In line with its general recommendation No. 23 on women in political and public life, the Committee recommends that the State party adopt temporary special measures aimed at advancing women in political life and in leadership positions and ensure that such measures are swiftly implemented (see CEDAW/C/AND/CO/2-3, para. 26 (a)).**

119. Act No. 19/2014 of 18 September, on political parties and financing of elections, covers the democratic functioning that must govern the organization of a party in article 13. Among the principles, it stresses that the statutes of each party shall include procedures that promote gender parity.

120. Thus, the statutes of all the parties which are represented in parliament contain norms to guarantee equal representation between men and women.

121. **Provide incentives for political parties to nominate equal numbers of women and men as candidates and strengthen targeted training and mentoring programmes on leadership and negotiation skills for current and potential women candidates (see CEDAW/C/AND/CO/2-3, para. 26 (b)).**

122. Currently, no action has been taken to encourage political parties to draw up equal lists beyond the legal provisions and statutes that regulate the functioning and organization of political parties.

123. Nor has the State provided training on leadership and negotiation skills for current and potential women candidates.

124. However, this is an issue that will be reflected in the forthcoming Act on equality and non-discrimination, through the so-called social clauses.

125. **Provide training and capacity-building for women to enable them to enter public office and enhance campaigns to raise awareness of the importance of women's full and equal participation in political and public life, including activities targeting leaders of political parties (see CEDAW/C/AND/CO/2-3, para. 26 (c)).**

126. Although there have been no specific training programmes for women for entry into the civil service and to promote the full and equal participation of women in public life, the Department of Public Service provides training on those subjects as the various departments consider appropriate.

127. However, this is an issue closely linked to the positive actions to be covered in the future Act on equality and non-discrimination.

128. **Periodically assess the representation of women in the higher levels of public administration with a view to identifying and removing barriers to their equal participation (see CEDAW/C/AND/CO/2-3, para. 26 (d)).**

129. As already stated, without prejudice to the introduction by the Consell General of gender questions for analysis by the Department of Statistics, on 30 March 2017, the Ministry of Social Affairs, Justice and the Interior signed an agreement with the Sustainability Observatory of Andorra for the collection and processing of data on equal opportunity. One of the issues raised is the employment situation of women, in both the private and public sectors.

130. Currently, the presence of men and women in senior positions in the civil service is 61.46 per cent versus 38.54 per cent, respectively.

131. **Provide training for politicians, journalists, teachers and local officials, especially men, to promote understanding of the right of women to equal participation in political and public life (see CEDAW/C/AND/CO/2-3, para. 26 (e)).**

132. The Equality Policies Unit has been entrusted with the functions of combating inequalities and discrimination suffered by the most vulnerable individuals and groups. Training for various professionals and institutions has special relevance under this function.

133. The training has a dual objective: (1) to promote a culture of equality in different areas of endeavour and (2) to provide training for various professionals in order to prevent the perpetuation of gender inequalities and to detect possible discrimination.

134. These functions will be strengthened at the substantive and budgetary levels with the adoption of the future Act on equality and non-discrimination.

Education

135. **The Committee recommends that the State party set up a system for collecting statistical data, disaggregated by sex and age, on the access of women and girls to equal education (see CEDAW/C/AND/CO/2-3, para. 28 (a)).**

136. The Statistics Department is the body in charge of official statistics. It operates according to the principles of independence and integrity and is responsible for gathering, processing and updating the information required to create, apply, monitor and evaluate public policy.

137. Data on education is available and may be viewed by anyone at www.estadistica.ad. Education data broken down by gender is collected, as are other indicators of interest to the population: choice of school and education system, parish, nationality, etc.

138. All school-age children (children between the ages of 6 and 16 years), irrespective of their immigration status in the country, must attend school within the education system and we can therefore state that 100 per cent of school-age girls are attending school.

139. Furthermore, Andorra has a public adult training centre whose purpose is to provide continuing lifetime education. Students may follow a course of vocational studies, study to obtain a secondary school diploma, take courses introducing them to or deepening their knowledge of information and communications technology or broaden their knowledge of the country by taking courses on history and social studies.

140. This training is designed for people over the age of 16 years. Depending on the course of studies chosen, an evaluation is performed to create an individual study plan for each student.

141. In terms of university-level education, the University of Andorra offers a number of degree programmes: business administration and management training, pedagogy programmes with a dual option, communications, law, humanities, nursing, computer studies and Catalan language studies. Programmes are delivered in person, with some available through online distance learning.

142. 2013–2018 enrolment data broken down by gender:

Year	*Gender*	*Business admin and management*	*Pedagogical studies*	*Pedagogical studies (dual)*	*Communications (online)*	*Law (online)*	*Humanities (online)*	*Nursing*	*Computer studies (in-person and online)*	*Catalan studies*
2013/2014	Men	50	4		4	20	2	17	42	0
	Women	54	64		8	20	5	64	2	4
2014/2015	Men	53	3	4	1	18	2	19	36	0
	Women	55	38	12	9	30	8	85	2	5
2015/2016	Men	72	2	5	3	26	3	26	45	0
	Women	61	32	28	8	36	7	84	1	6
2016/2017	Men	81	2	8	3	23	3	24	52	0
	Women	70	17	37	11	36	8	83	2	1
2017/2018	Men	80	0	12	4	19	2	29	51	0
	Women	70	7	44	7	32	6	81	3	1

143. **Implement a strategy to promote the enrolment of women in vocational education and training in traditionally male-dominated fields of study, through career counselling and by providing incentives for girls to choose non-traditional careers (see CEDAW/C/AND/CO/2-3, para. 28 (b)).**

144. Act 1/2015 on the eradication of gender-based violence and domestic violence provides that teaching curricula delivered at all levels in all types of teaching establishments must provide academic and professional training that is neither sexist nor discriminatory and that contributes to the student body being able to freely choose between the various academic and professional options based on their aptitudes and capabilities, without gender bias or discrimination.

145. For its part, the Ministry of Education and Higher Education is finalizing the education reform process for the implementation of the Strategic Plan for the Renewal and Improvement of the Education System of Andorra. This methodology will facilitate the application of a cross-cutting approach to gender issues. However, the Equality Policies Unit is reviewing its content and plans to begin scheduling meetings and making contacts as appropriate to guarantee that the gender perspective is taken into consideration when dealing with the various topics.

146. **Ensure that school curricula, academic programmes and professional training for teachers cover women's rights and promote gender equality (see CEDAW/C/AND/CO/2-3, para. 28 (c)).**

147. The Equality Policies Unit and the Ministry of Education and Higher Education will review the content of each course and the implementation of co-educational learning programmes to ensure that they are egalitarian and free of sexism and discrimination. In addition, a range of activities is planned to foster women's rights and gender equality.

148. Notwithstanding the aforementioned, within the programme of activities created for teaching staff, the Equality Policies Unit has provided two courses:

149. "We are different, we are the same": This training, which is part of the summer-school training programme organized by the Ministry of Education and Higher Education, was designed for teaching professionals. Its goal was the following:

- To provide prevention and detection resources to teaching professionals from a variety of teaching institutions focused on how to work towards equality and avoid discrimination and inequality in the classroom;
- To prevent bullying in schools;
- To find common language related to equality and violence.

150. "Resources to understand and detect gender-based violence": This training was provided to faculty from the University of Andorra in September 2017. The training was a first attempt to set and clarify certain concepts related to violence, as well as certain terms taken from gender studies; how gender-based violence works and the system that sustains it (patriarchy, cycle of violence, dominance and dependence, and so on); guidelines for detecting situations that constitute gender-based violence; and the systems in place to care for victims.

151. **Introduce age-appropriate education on sexual and reproductive health and rights in school curricula, including on responsible sexual behaviour (see CEDAW/C/AND/CO/2-3, para. 28 (d)).**

152. As stated, in Andorra there are three distinct education systems that coexist: Andorran, Spanish and French.[5] Sex education is provided in each education system as part of its academic curriculum.

153. However, we can say that in practical terms, the subject is taught in the same grades: first with a greater focus on physiology and reproduction, and later with a focus on relationships.

154. The Government offers separate workshops on sexuality to secondary school students to consolidate knowledge on basic concepts, safe sex and healthy relationships based on respect and equality.

155. **Ensure that girls and boys with disabilities have access to education and combat discrimination against schoolgirls on the basis of sex and disability (see CEDAW/C/AND/CO/2-3, para. 28 (e)).**

156. In 2013, priority was given to actions related to accessibility in schools and the timetable for those actions.

157. As a starting point, studies were carried out at all educational establishments built before the Accessibility Act was passed to identify barriers and define their characteristics in order to later develop projects to improve accessibility. Projects to improve accessibility that focus on reduced mobility have been carried out in schools since 2014. Currently, 85 per cent of educational establishments in the country are compliant with the Accessibility Act and are accessible for persons with reduced mobility.

158. With the goal of guaranteeing inclusive education, the Government provides early education services through day programmes offered to all children affected by a disability or at high risk of suffering from one and their families. A set of specialized interventions and services is offered, with the goal of taking preventative action, improving the level of development of children and maximizing their capabilities.

159. Early education programmes are offered through an agreement with the Government at Our Lady of Meritxell Special School for all children who require them, under programmes entitled *Impuls*, and *Impuls Bressol* for the youngest children. It is notable that in accordance with the governing principle of inclusion, early education programmes are also offered at day care centres, with the support of a team of professionals from Our Lady of Meritxell Special School who travel to centres that require their assistance. Similarly, Our Lady of Meritxell Hospital also has a child development unit that works hand in hand with the Special School and other involved workers. The Unit for the Promotion of Personal Autonomy provides support for families to enable them to take advantage of the services provided by *Impuls* and *Impuls Bressol*.

160. On another note, a specialized service called PROGRÉS is offered to schools through Our Lady of Meritxell Special School and managed through an agreement with the Ministry of Education and Higher Education. It provides specialized human and technical resources to all educational institutions in all of the education systems in the country.

Employment

161. **The Committee recommends that the State party adopt a legislative framework and specific measures to recognize the principle of equal pay for work of equal value and adopt policies, including temporary special measures, with time-bound targets and indicators to achieve substantive equality of women**

[5] See the common core document, paragraphs 7–10.

and men in the labour market, eliminate occupational segregation and close the gender pay gap (see CEDAW/C/AND/CO/2-3, para. 30 (b)).

162. The 2008 Labour Relations Code establishes in general terms that any discriminatory practice is null and void. Furthermore, acts that constitute discriminatory practices with regard to access to employment, dismissal or the application of disciplinary procedures, differences in salary, conditions of work or professional career development have been defined as offences in the Criminal Code.

163. In concrete terms, and in accordance with the conclusions drawn from the preparation of the white paper on equality, the average wage in Andorra as at October 2016, and according to data provided by the Department of Statistics, is €1,959.22 per month. However, if these data are disaggregated by sex, men earn €2,204.07 and women €1,711.85, a gender pay gap of 22 per cent.

164. Significant wage disparities have been identified among sectors, for both men and women. But in all sectors of activity, the average wage of women is lower than that of men.

165. The most striking wage disparities exist in sectors where men's average wages are high, such as the extractive industry (-58.5%) and the financial system (-43.3%).

166. Less pronounced wage disparities exist in the areas of transport and communication (-8.9%), domestic work in the community (-10.1%) and public administration (-10.9%).

167. These data show that the gender gap in the country is similar to that in neighbouring countries; which is why the future Act on equality and non-discrimination will address this situation through various measures, possibly by establishing social clauses; without prejudice to the adoption of a strategy that addresses the problem in the medium term (priorities that have been established in the white paper on equality).

168. **Design and implement measures to enable women and men to reconcile work and family life, including through paid parental leave (see CEDAW/C/AND/CO/2-3, para. 30 (c)).**

169. The 2008 Labour Relations Code governs maternity and paternity leave, as well as paid leave. A bill that makes major changes to the legislation in this area is currently under consideration by the parliament. In this regard, there are plans to extend maternity leave to twenty weeks and leave for legally recognized partners to four weeks. Both types of leave are to be paid for by the Andorran Social Security Fund.

170. In addition, provision is made for a possible 25-per-cent reduction in working hours, with mothers continuing to receive their entire fixed salary, for the nine months following the birth of their child. For multiple births, working hours would be reduced by 37.5 per cent.

171. **Adopt measures to regulate and monitor the situation of women domestic workers and ensure that complaint mechanisms and other remedies are available to them (see CEDAW/C/AND/CO/2-3, para. 30 (d)).**

172. The situation of women domestic workers is governed by the social protection system. The Andorran Social Security Fund, through its Inspection Service, guarantees that these employees, like all other workers, enjoy the rights accorded them by the law.

173. In this regard, women domestic workers are entitled to participate in the social security system, make contributions to the social protection system and receive a wage, which must be at least the minimum wage established by the Government. They are also entitled to paid annual leave.

174. In the event of a possible violation of their rights, women domestic workers may turn to the Andorran Social Security Fund to learn about their rights and the legal recourse available to them.

175. They are guaranteed free legal assistance to enable them to take relevant legal action in defence of their rights, if they do not have sufficient means to institute legal proceedings.

176. **Prohibit sexual harassment, train and raise the awareness of labour inspectors regarding exploitative practices in the workplace and prosecute and sanction offenders (see CEDAW/C/AND/CO/2-3, para. 30 (e)).**

177. Article 149 bis of the Criminal Code criminalizes sexual harassment. Similarly, sexual harassment is recognized in the Labour Relations Code as one of the circumstances that justifies withdrawal from an employment relationship. However, under the Labour Relations Code workers have the right to choose between terminating the employment relationship or returning to their jobs and receiving compensation for the damages suffered.

178. The staff assigned to the Employment and Labour Inspection Service of the Ministry of Social Affairs, Justice and the Interior have received practical training in preparation for the adoption of equality plans. One of the modules of this training programme was focused on the prevention of sexual harassment in the workplace.

179. **Ensure access to employment for women with disabilities by providing adequate vocational training and accessible information on employment opportunities, including self-employment (see CEDAW/C/AND/CO/2-3, para. 30 (f)).**

180. In order to comply with the obligations assumed by Andorra through its ratification of the Convention on the Rights of Persons with Disabilities in 2016, the Government has developed a strategy for the placement of persons with disabilities in employment, implemented in a cross-cutting way by the Department of Employment and Work and the Department of Social Affairs.

181. In this way the Employment Service has become the job placement service for all citizens; it creates customized pathways, by agreement with the person concerned, to ensure good guidance and support and provide quality attention to people with all kinds of profiles.

182. The aim is to ensure that persons with disabilities have access to the labour market on an equal footing to everyone else. This is why a multidisciplinary Labour Commission has been set up to guarantee assistance in every case.

183. A specific site has been equipped to serve persons with disabilities and training has been provided to Employment Service staff so that they understand the characteristics of the individuals whom they have to support. They have also received training on the prevention of gender-based violence, which includes a generic component covering issues of gender and social inequality, as well as the prevention of sexual harassment in the workplace, with a particular focus on cases of double discrimination.

184. In parallel, the Government has worked to create a network of inclusive enterprises that promote the recruitment of persons with disabilities and that make adjustments according to the different capacities of each individual. At the time of reporting, ten companies have signed a cooperation agreement with the Ministry of Social Affairs, Justice and the Interior and have employed persons with disabilities, and adapted working conditions to their individual needs.

185. With regard to self-employment, since 1999 the Government of Andorra has been implementing a programme entitled "Workshops for Entrepreneurs". The programme is free of charge and is aimed at all persons over the age of 18 years with an entrepreneurial spirit who wish to develop their business idea with the help of teachers and in a small working group environment (places are limited to 25 persons).

186. The aim of these workshops is to create an entrepreneurial atmosphere and nurture the potential for creating new businesses in the country.

187. In recent years, various individuals with a range of disabilities have applied; one of them has completed the training and is now preparing to carry out the project.

188. With regard to what is known as sheltered work, the Integration and Employment Service is the service of the Our Lady of Meritxell Special School responsible for providing persons with disabilities with access to employment in environments ranging from the most sheltered possible (occupational workshops) to more open and standard working environments (ordinary companies). The Integration and Employment Service provides occupational workshops (Xeridell) and encompasses the supported employment agency (Agentas); these structures provide guidance to users according to their capacities and assistance needs.

189. Lastly, the Our Lady of Meritxell Special School has a project targeting young people aged from 16 to 21 years, which is designed to equip them to join the labour market. The programme is called "Fent Camí" (making progress), and is designed to provide young people with the skills and competencies required to successfully enter the world of work, through a two-phase process: a training phase, and a skills-development phase during which participants in the programme gain work experience in companies.

190. **Ensure that the Labour Relations Code (2008) applies to women migrant workers, including domestic workers, and that they have access to legal complaint procedures for the protection of their rights, in line with the criteria in the Committee's general recommendation No. 26 on women migrant workers (see CEDAW/C/AND/CO/2-3, para. 30 (g)).**

191. The Labour Relations Code applies to all workers regardless of their origin or nationality. As established above, the rights of women domestic workers are also recognized within the framework of the Labour Relations Code, and these workers have access to the same remedies as all other workers.

Health

192. **In line with general recommendation No. 24 on women and health, the Committee urges the State party to decriminalize abortion and provide access to legal abortion in cases of threats to the life or health of the pregnant woman, rape, incest and severe foetal impairment (see CEDAW/C/AND/CO/2-3, para. 32 (a)).**

193. The right to life is recognized under article 8 of the Constitution and is fully protected at all stages.

194. The right to life, as recognized in the Constitution, is to be understood within our constitution-making process. It should be recalled that, through the initiation of the reform process for Andorran institutions in 1981, the Comissió Tripartita (Tripartite Commission) was formed to initiate constitutional negotiations. This Commission was made up of a representative of each Co-Prince and a representative of the Consell General.

195. The position of the Episcopal Co-Prince was clear from the outset of the constitutional debates. During a meeting on 27 May 1992 in La Seu d'Urgell, His

Excellency Mr. Joan Martí i Alanis stated his priorities for the constitution-making process, as previously expressed on 30 April 1990, together with the delegation of the Consell General and the Government of Andorra: his wish was that the Constitution should not contain any definitions contrary to the morality of the Catholic Church, particularly in relation to the right to life; with regard to human rights, his position was that detailed drafting was required to provide maximum safeguards for the exercise and respect of fundamental rights, and to avoid too vague a definition which could give rise to distortions or restrictions in their application.

196. As a summary of the position of the episcopal delegation on this particular point, we can cite the statement made by the head of the delegation of the Co-Prince, Mr. Némesi Marqués Oste, during the meeting of the Tripartite Commission on 20 September 1991: "... there is no need to state here the reasons for this position, and there must be an awareness throughout the world of this situation, and His Excellency would face an insurmountable conflict between his status as bishop and his status as Co-Prince, and that he, as he has publicly stated on several occasions, would naturally respect the fact that if the Andorran people wished to take a particular position on that point, they had the freedom and sovereign right to do so, but he also had the freedom and sovereign right to return to the Andorran people the powers that belonged to them ..."

197. The Government of Andorra is aware that the decriminalization of abortion is a matter of concern for civil society, but reform of the Constitution and subsequent amendments to the Criminal Code would result in the breakdown of State institutions that shape our identity as a country.

198. The political system of Andorra is that of a parliamentary co-principality. The office of the Head of State lies with the two Co-Princes, indivisibly and on equal terms. Its functions are regulated by the Constitution. This approach is in line with the historical tradition of the country, which dates back to 1278, is deeply rooted in Andorran society and safeguards our national sovereignty.

199. The position of the Episcopal Co-Prince has not changed since the beginning of our constitutional history and the Government of Andorra has therefore not taken any measures to implement recommendation 1, paragraph 24.

200. **To ensure affordable access for women and girls to modern methods of contraception and educate them about the risks of early pregnancy and sexually transmitted diseases, including HIV/AIDS (see CEDAW/C/AND/CO/2-3, para. 32 (b)).**

201. Every year the programme of the natural sciences course in compulsory secondary education includes four credits for health education, which is studied by all pupils in Andorra between the ages of 12 and 16 years. The credit courses include, among other topics, training on sexual and reproductive health, as well as the fight against gender stereotypes that do not respect women.

202. Also, the basic health care and welfare service system infrastructure (10 centres in the 7 parishes) includes in its programmes the *Consulta Jove* (advisory service for young people), which is designed to support the overall health of young people.

203. **To ensure affordable access for all migrant women and girls to the health care system and consider amending the legislation restricting access to health care on the basis of legal residence (see CEDAW/C/AND/CO/2-3, para. 32 (c)).**

204. While it is true that health care is closely linked to legal residence and registration with the Andorran Social Security Fund, individuals, and specifically women and girls, who require health care can attend health care centres and hospitals and either pay the fees for treatment or acknowledge the debt owed to the hospital.

205. Moreover, if they have health coverage in their country of origin, the Andorran Social Security Fund undertakes to arrange health care coverage through bilateral agreements.

206. Nevertheless, women and girls who are not legal residents but require urgent medical assistance and are unable to pay may be granted emergency assistance by the Ministry of Social Affairs, Justice and the Interior.

207. On 18 May 2016, regulations were approved that govern the economic benefits consisting of health and social services, which categorizes such benefits and sets out the pertinent general requirements and beneficiaries' rights and duties. An additional provision establishes that in unforeseen cases of extreme urgency and need that call for humanitarian intervention, aid can be granted to ensure the livelihood and dignity of individuals. In that way, the provisions laid down in Act 6/2014 and its Regulations recognize the right to certain social benefits without requiring legal residence in the country. Such benefits are provided as occasional economic assistance, regulated by articles 13 to 17 of the regulations that govern the economic benefits consisting of health and social services.

208. **To devise and implement gender-sensitive programmes to prevent HIV/AIDS and include disadvantaged and marginalized groups of women, such as those in prostitution and migrant women, therein (see CEDAW/C/AND/CO/2-3, para. 32 (d)).**

209. Andorra has recorded a total of 69 cases of human immunodeficiency virus (HIV). In 2016, two new cases of HIV infection were reported, reflecting an incidence rate of 2.56 new cases per 100,000 inhabitants. This value is below the observed incidence for the same year in Spain (6.8) and in France (7.8), and is even far below Portugal (10 new cases per 100,000 inhabitants), countries with which Andorra has geographical and cultural proximity.

210. Men accounted for 85 per cent of recorded cases and women for 15 per cent; the prevalence in 2016 was therefore 0.088 per cent.

211. According to the information provided by the Unit for Prevention, Promotion and Health Surveillance, the main risk factor for transmission in recent years has been risky sexual behaviour, that is, unprotected sex (63.9 per cent). In this case, 45.28 per cent of cases arose from heterosexual contact; 50.94 per cent from homosexual contact; and 3.77 per cent from bisexual contact.

212. Of the 69 cases recorded, 54 (78.25 per cent) of the individuals are infected with HIV; 8 have developed acquired immunodeficiency syndrome (AIDS), and 7 are unaware of their condition. Moreover, of these cases, 49 individuals (71 per cent) have received antiviral treatment in Andorra during the past year.

213. These data are based on a system of individual, confidential and anonymous reporting that involves medical professionals in the country, clinical testing laboratories and pharmacies.

214. As regards HIV/AIDS prevention, Andorra systematically conducts educational activities to prevent HIV/AIDS and other sexually transmitted diseases in all schools in the country. These are part of the health education programme in schools and emphasize modes of transmission, preventive measures, the elimination of stigmatization and marginalization of the disease, as well as decision-making and life attitudes. Primary care includes a programme to inform young people on matters of sexuality; for the rest of the population prevention is treated together with the prevention of other sexually transmitted infections. As regards diagnostic tests for early detection, they can be done at any of the country's health centres, which guarantee confidentiality.

215. It should be noted that the Criminal Code defines the offences of establishment of prostitution (article 150), encouragement of prostitution (article 151) and procuring (article 152). The text of the said articles may be consulted in the annex.

216. That being so, and considering that in recent years only one sentence has been handed down for an ongoing felony crime of encouraging child prostitution, it has not been deemed necessary to establish specific HIV/AIDS prevention programmes for women who work as prostitutes.

Migrant women

217. **The Committee recommends that the State party conduct a comprehensive study on the situation of migrant women, establish a system to collect disaggregated information on migrant women and include such information in its next periodic report (see CEDAW/C/AND/CO/2-3, para. 34 (a)).**

218. The Department of Statistics provides a break-down of the active population by nationality, activity sector and gender. However, these data are not currently sufficiently disaggregated and cross-referenced. Nevertheless, as noted earlier, the Sustainability Observatory of Andorra has just signed a collaboration agreement with the Department of Statistics that will allow for implementation of the cooperation agreement with the Ministry of Social Affairs, Justice and the Interior and facilitate further analysis of these issues.

219. **Consider acceding to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto (see CEDAW/C/AND/CO/2-3, para. 34 (b)).**

220. As indicated in paragraphs 40 and 41 of the common core document, in order to fulfil the commitments of the Government of Andorra to contribute, to the best of our ability, to alleviating the humanitarian crisis caused by, inter alia, the Syrian conflict, which has led to hundreds of thousands of people being forced to flee the region, on 13 September 2017 the Council of Ministers adopted a draft Act on temporary and transitional protection on humanitarian grounds. The Act was adopted by agreement of the Consell General on 22 March 2018. On 8 May 2018, the Government of Andorra signed an agreement with the Community of Sant'Egidio to facilitate the arrival in Andorra of Syrian refugees currently in Lebanon, through a humanitarian corridor. However, within the next two years, the Government will submit a broader bill on asylum that will provide conditions and protections more similar to those established by the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol thereto.

221. **Adopt a legislative framework to address the rights and needs of women migrant workers and women asylum seekers, including measures to protect all migrant women against refoulement (see CEDAW/C/AND/CO/2-3, para. 34 (c)).**

222. Migrant women with a residency or work permit enjoy all the rights recognized in the Andorran legal system. Any kind of discrimination on the basis of, inter alia, sex, gender or nationality is prohibited.

223. They also have access, in accordance with the applicable legislation, to the social benefits provided by the Department of Social Affairs to ensure welfare and quality of life.

224. Similarly, they have access to the social protection system and the Andorran health care service.

225. Non-renewal of residency is a legal issue and may be appealed through the courts.

226. **Consider amending its legislation with a view to recognizing the human rights of migrant women (see CEDAW/C/AND/CO/2-3, para. 34 (d)).**

227. Andorra has not deemed it necessary to legislate specifically on the matter because women migrant workers who are granted a residency and work permit enjoy the same rights as national citizens.

228. Women who do not have a residency or work permit may receive advice from the local parish social worker to analyse their situation and verify whether it is possible to regularize their residency through access to the labour market, in accordance with the laws on established quotas.

229. Notwithstanding the above, from the social perspective, if a person is in need of urgent medical care and has no legal residency in the country, the Ministry of Social Affairs, Justice and the Interior provides health coverage in the form of emergency assistance, regardless of the bilateral agreements with the country of origin for the reimbursement of medical expenses.

Economic empowerment, social and economic benefits

230. **The Committee recommends that the State party consider implementing economic temporary special measures with the aim of developing and strengthening the capacity of women entrepreneurs, in particular young women who intend to manage their own business (see CEDAW/C/AND/CO/2-3, para. 36).**

231. Currently, there is no regulatory framework for specific activities or programmes for the empowerment of businesswomen or women entrepreneurs. However, the Act on equality and non-discrimination will provide for such activities to develop specific programmes that enhance gender equality in various fields.

232. Indeed, Andorra has recently participated in some activities with positive results. One example is the Conference of Women of la Francophonie, on the theme "Creation, innovation, entrepreneurship and development: women are needed" that was held in November 2017 in Bucharest. For two working days, more than 500 people discussed issues such as women's rights and access to the labour market, innovation and women's entrepreneurship and women's leadership in economic governance.

233. The objective of the Conference was to set goals for drafting strategic recommendations supporting women's autonomy and economic empowerment in the areas of rights, capacity-building, entrepreneurship and leadership. Those recommendations led to the development of a francophone action plan that will reflect the various initiatives supporting the role of women in society.

234. The discussions will feed into the Francophonie strategy for gender equality, which is expected to be adopted during the seventeenth Francophonie Summit of Heads of State and Government to be held late in 2018 in Yerevan. The Conference also aims to establish a francophone network for women entrepreneurs, to promote the exchange of experiences in the creation, financing and expansion of an enterprise.

Equality in marriage and family relations

235. **The Committee recommends that the State party raise the minimum age of marriage to 18 years for girls and boys. It also recommends that the State party implement Qualified Act 21/2005, which provides for rights for women in stable unions, in line with the Committee's general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution and article 16 of the Convention (see CEDAW/C/AND/CO/2-3, para. 38).**

236. Article 18 of the Qualified Act on Marriage of 30 June 1995 establishes the conditions for entering into marriage, and in its first paragraph indicates that minors under the age of 16 may not marry unless they have been granted an exemption under article 20. Article 20 provides that the civil courts, after hearing the views of the Prosecutor, may grant exemptions to various requirements, with just cause and at the request of the party, including the age requirement, provided that they are over fourteen years of age, after hearing the persons exercising parental authority or guardianship, who, in any case, have to express their consent or opposition to the marriage.

237. This is an anachronism of the tradition of Roman law. The actual situation in our country shows that minors do not get married. In fact, the current age trend for marriage is between 30 to 39 years for both men and women. In the last ten years, no minor over the age of 14 has entered into marriage.

238. Notwithstanding that this is not an issue of social concern in our country, the working group working on the forthcoming Act on the rights of children and adolescents has raised the age for marriage to 18 years.

239. For its part, article 5 of Qualified Act 21/2005 governs the conditions for personal and property relations between members of stable civil partnerships. These conditions must be set out in a private agreement, formalized before a notary, which must contain the respective rights and duties, as well as the corresponding financial compensation in the case of separation.

240. Notaries are legal professionals who are authorized to perform a civil service. Their functions include, inter alia, giving advice to those who wish to obtain a public document on the most appropriate legal means for achieving the intended legal objectives. In this regard, notaries normally provide information and advice on the aforementioned issues and offer alternatives to the members of a stable civil partnership for the conditions regarding their personal and property relations, including any financial compensation to be paid after the termination of a stable partnership.

241. In addition, Act 1/2015 on the eradication of gender-based violence and domestic violence, in its article 22, stipulates that provisions, acts or clauses in legal transactions constituting or causing situations of gender-based or domestic violence are null and void.

Beijing Declaration and Platform for Action

242. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention (see CEDAW/C/AND/CO/2-3, para. 39).**

243. The Government of Andorra, in accordance with the legal system, is taking action in the area of gender equality, in line with the principles of the Beijing Declaration and Platform for Action.

Dissemination and implementation

244. **The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests that the present concluding observations be disseminated in a timely manner, in the official language of the State party, to the relevant State institutions at all levels, in particular to the Government, the ministries, the parliament and the judiciary, to enable their full**

implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organizations, universities and research institutions and the media. It further recommends that its concluding observations be disseminated in an appropriate form at the local community level so as to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, the Optional Protocol thereto and relevant jurisprudence, as well as the Committee's general recommendations, to all stakeholders (see CEDAW/C/AND/CO/2-3, para. 40).

245. In recent years, Andorra has made a significant legislative effort to bring itself into line with neighbouring States, taking into account its distinct geographical and demographic particularities.

246. The national legislation enacted to implement the mandates contained in the Convention reflects the commitment of Andorra to the elimination of any discrimination against women. However, this commitment will be reinforced by the adoption of the future Act on equality and non-discrimination, which will provide a regulatory framework that will cover the various areas of activity affected by the right to equality.

247. In the drafting of the future Act, as has been previously mentioned, attention will be paid to the Convention and its general recommendations, as well as the concluding observations made by the Committee, through the direct implementation of article 3.4 of the Constitution, which establishes the normative hierarchy of international law and domestic law.

248. The Ministry of Foreign Affairs has disseminated the concluding observations to the various ministerial departments, the High Council of Justice, the Consell General and the parish councils (Comuns) and shared its response with civil society through the main associations in the country.

249. Nevertheless, the Equality Policies Unit, in collaboration with the Ministry of Foreign Affairs, is the competent body to monitor compliance with the Convention and will increase its efforts to publicize the scope of the Convention and to advance the consideration of possible legal amendments or political actions necessary for compliance with the Committee's recommendations, in accordance with the corresponding policy established by the Government and the Constitution.

Ratification of other treaties

250. **The Committee notes that the adherence of the State party to the nine major international human rights instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the treaties to which it is not yet a party, namely, the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (see CEDAW/C/AND/CO/2-3, para. 41).**

- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Following the visit of the European Committee for the Prevention of Torture of the Council of Europe to Andorra from 29 January to 2 February 2018, the

Government of Andorra will study the possibility of acceding to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

- The Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto
- On 11 March 2014, the Principality of Andorra ratified the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto and they came into force on 10 April 2014.

Follow-up to the concluding observations

251. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 22 and 32 above (see CEDAW/C/AND/CO/2-3, para. 42).**

252. Andorra submitted a response to recommendations 22 and 32 on 27 October 2016.

253. However, the present report includes additional information regarding these recommendations.

Reporting process

254. The Equality Policies Unit of the Ministry of Social Affairs, Justice and the Interior has been responsible for coordinating the drafting of the present report, which has benefited from the collaboration of other departments of the Ministry of Social Affairs, Justice and the Interior; the Ministry of Foreign Affairs; the Ministry of Health; the Ministry of Education and Higher Education; the Ministry of Culture, Youth and Sports; and the Ministry of Finance.

255. This report has been prepared in accordance with the harmonized guidelines on reporting under international human rights treaties. In order to comply with those guidelines, the Government of the Principality of Andorra submitted a common core document to the Office of the United Nations High Commissioner on 30 May 2018. The present report does not repeat the information provided in the common core document.

256. The report was adopted by the Council of Ministers at its session held on 25 April 2018. Prior to its adoption, the draft report was submitted to the Consell General, the parish councils (Comuns) and the Office of the Ombudsman so that they could make observations relating thereto. The present report has been sent to associations Stop Violències and the Women's Association of Andorra. However, none of the above-mentioned entities or institutions has submitted any comments or observations on the present report.